

"GET MURPHY," SAID STILWELL

Detraphone Conversation

Show: He Promised to
Put "Boss" in Jail.

WANTED PARDON FIRST

Frawley Also, He Declared,
Could Be Indicted if
He Were Free.

HE COULD SAVE SULZER

His Plan to Intimidate Votes
in Assembly by Threaten-
ing Exposure.

Two conversations with ex-State Senator Stephen J. Stilwell in Sing Sing prison on August 25, as recorded by means of the Burns detraphone and incorporated in the little black book, were made public yesterday. They are contained in the summary of the contents of the black book printed in THE SUN on Friday morning. John A. Hennessy, the personal representative of Gov. Sulzer, figured in the second conversation. In the first Mr. Hennessy, who was on his way to Sing Sing, but had not yet arrived, was represented by Warden Clancy. The name of Charles E. Murphy, leader of Tammany Hall, and Senator James J. Frawley figured frequently in the conversations.

In the second and more interesting conversation both Hennessy and Stilwell were on their guard. Hennessy was insistent upon getting more definite information of what Stilwell could do in the way of a counter attack on the Tammany leaders before he, on behalf of the Governor, would promise a pardon. Stilwell, on his side, repeatedly expressed the fear that in case what he had to tell should not be legally substantiated he would be returned to Sing Sing for a long period. The convicted Senator wanted an unconditional pardon first and then promised to do what he could to save the Governor from impeachment. Hennessy wanted to know what Stilwell could do for Sulzer first, however, the pardon, which he said already had been written, as a reward for Stilwell's services to be paid after those services had been rendered. Stilwell also was insistent upon protecting his friends, and he declared that he would not appear before the Grand Jury, but promised to go to certain Senators and use the information which he said he had to get them into voting against the impeachment of the then Gov. Sulzer.

Stilwell on His Guard.

In the earlier conversation Stilwell received the advice to "talk over these things; don't talk about anything in particular—just talk in a general way." The Sing Sing prisoner followed this advice through a considerable part of his conversation with Hennessy. Stilwell told the others at this first conversation that if he didn't get the pardon he would make no affidavit. This declaration he lived up to. "Charles Clancy," referred to as "Mr. Clancy" was present at the talk between Hennessy and Stilwell.

When Mr. Hennessy arrived and the second conversation began Hennessy asked if the door was closed. Stilwell said: "They can't hear."

The earlier portion of the conversation is taken up with sparring between Stilwell and Hennessy over these things: "I don't want to give you any information," Stilwell was wary and was firm in his demand that the pardon must be forthcoming before he gave any evidence before the District Attorney. Both Hennessy and Frawley repeatedly assured him that if he would go before Whitman the pardon was ready. Hennessy said it had already been written.

Names Frawley and Murphy.

The parts of the conversation that stand out follow:

Hennessy—We won't attack the Senate, but we would like to show up some of the people who are so active. It is doubtful if we will ever need any of it.

Stilwell—I said no. I didn't want any of my friends implicated.

Hennessy—As far as Murphy is concerned, there are a couple of others as active in it. Now to get down to facts. Stilwell—There were two men only—in my statement.

Hennessy—Frawley and Murphy.

Stilwell—There are two men, I decided to give them an opportunity to do as I asked them to do in regard to the impeachment, and then if they don't do it, then it's a different proposition. Well, what I wanted to do is to furnish proof against two men, and then have additional proof against the others who you do not want to involve unless they go against the Governor. I will give them an opportunity now. I will be honest and frank with you. Give me an opportunity and if they do not want to protect the Governor under these conditions I will do the other way.

Hennessy—Who are these two men?

Stilwell—Frawley and Murphy.

Hennessy—Are you willing to tell me the names of these others?

Stilwell—Not unless the pardon is here.

Hennessy—You mean you want the pardon before you make affidavit?

Stilwell—Yes, I will give you the affidavit after the pardon is here.

Hennessy—I will give you the limit. I will prevent them from voting against the Governor. I will put Murphy in jail and Frawley there too, but I must protect myself.

Hennessy—You must also understand how we are situated. We need protection too absolutely all the way; there is no limit if you want to do it in a way that will please the public.

Stilwell—I couldn't go before the Grand Jury before I got my data. I got to get the dates, I've got to get what I need last year. I've got to get my memorandum. Now, there's my diary of last year. I can't do it now; I've got to get all those bills if you want to win. I've got to give you the proper dates. I've got to get all the bills, I've got to get among certain things the date when the money was paid to this man and the money paid over to him. I've got to get this money to say so. My testimony alone without corroboration is without advantage to you. This isn't a thing that you can shoot off in the hands; you want to get it thoroughly.

Hennessy—How can we decide on that unless you furnish a statement?

Stilwell—There is no question but that you can impeach Murphy, but there is no question about Frawley, but I can see my way clear, I can't do it in justice to myself. I know what it means; no one knows better than I do. If the pardon is not here I've got to come back, there is no use talking. I can't do it even if I've got to serve the limit and take a chance of killing myself rather than have it handed to me.

Hennessy—There can be no positive assurance about that.

Then followed another angular argu-

ment between Stilwell, Hennessy and Frawley in which the same ground was repeatedly gone over. Stilwell complaining that "Arnold" and others had approached him, but no one would make him any definite promise. Stilwell expressed distrust of District Attorney Whitman and called attention to the Robin case. Stilwell—I could not go before the Grand Jury without my data and make a fool of myself. I can't make a statement, but I can make an affidavit on this fellow Frawley.

Hennessy—You can give that now; you know that he could get the man to testify.

Stilwell—But he couldn't get him to testify. You know how hard it is to get that without corroborative testimony.

Saw Money Passed.

Stilwell, a moment later, declared that

could get this unnamed man for "handing the money to Frawley." "I can prove it was handed to Frawley," he continued. "He would be indicted for bribery."

Hennessy—I would tell the whole truth. Stilwell—Why, then, Frawley and they will get together and prove that I was a perjurer. I got to make out an affidavit to protect myself with. I don't want them to turn around and say I was a perjurer, not unless this man is willing.

I made an affidavit Frawley can't get me. He had to get the money somewhere. I can prove he got the money. I saw the gentlemen turn the money over to Frawley.

Hennessy, by way of mentioning "some other things about Frawley that we were talking about," spoke of "that measure where he asked for \$10,000 to kill the bill."

Stilwell—He knows about that, but that can't be made the connecting link. I can't be made the connecting link. I can show it, but it won't count much.

In reply to a question from Hennessy regarding Frawley "getting some money from a brewery," Stilwell said:

"I can prove that. He will always take money on these things. Each one of them got \$5,000 a year from the Brewery Association interests."

As for Foley, Stilwell said: "I can't prove a thing against Foley; he was always suspicious of me and afraid of me; he was always against me every time."

Hennessy—The warden was telling me about a transaction where you had some notes about \$500 in relation to this man Frawley.

Stilwell—In the Legislature, there's where the note was made to him. I can prove the money was handed over to Frawley. The note was deposited in a bank down in New York. This is the absolute truth. I can prove that. There is no question but that I can convict Frawley.

\$12,000 for Nomination.

Hennessy here apparently broke in with a question about a nomination not previously referred to in the conversation.

Hennessy—This nomination—you think it was Murphy that—How much was that—\$10,000?

Stilwell—Twelve thousand dollars for the nomination, but not in his own name; but the money was handed over to the party for the nomination.

Hennessy—This other matter which we were talking about—would it be possible to get corroborative evidence about this \$12,000 and \$500 that was paid?

Stilwell—I am not sure about it. I was working on it when the papers came out and everybody was "leery" about it. The party who was working on it with me got "leery." I was getting it all together. You know you can't get these people together when the papers are shouting. We were trying to get it together beforehand, to get it in black and white; that's what we wanted to do.

After Stilwell had talked about \$1,000 paid to kill a certain bill, part of which, he said, he understood went to an unnamed Tammany leader, the convicted Senator said he "had Murphy where he threatened me and where he asked me for money." This, he said, was on the Bronx county bill. "Yes," Stilwell said, "he threatened me, but I fooled him by voting on the negative side of the proposition."

Threatened by Murphy.

It was Wagner mixed up in that?

Stilwell—Yes, Murphy sent for O'Neil. Told him he wanted to see me about the Bronx county bill. He made arrangements to meet me at 12 o'clock in Tammany Hall. Just before 12 o'clock the telephone rang and with Murphy on the other end. He said: "You better not come to see me at Tammany Hall; meet me at Delmonico's. I will be there." I said: "Very well, I will be over there." So I went over. He had a big room there. With him was Tom Smith and Jim Donohue. I went upstairs and there was Smith and Donohue with Murphy. He told Smith and Donohue to get out of the room. Murphy and I were alone in the room when they went out. He said: "If you don't do this thing I am going to kill you politically. I will kill you financially. This thing has got to go through. You've got to stop making combinations with Senators up there." The result of it was I said I would do that.

Stilwell went on to talk about a former statement, but said he had not said he would swear to it. "U" and "H" continued to tell him they did not want a statement but did want "to control votes."

Stilwell replied: "Why if I go to (—) and tell these things do you suppose they would convict the Governor?"

He said he wanted time to think over what he would do, and expressed the fear that any attack he made on the Assembly might be discredited.

Could Control Impeachment.

Unversagt told him he would not be discredited if he was telling the truth.

Stilwell—But you can't go over this proposition in court; you've got to have the proof. So far as the Senators are concerned I tell you I could control that impeachment with so many votes, and I know it.

He said he could vouch for "about six," maybe seven votes.

Stilwell refused to tell the names of the Senators.

The former Senator said that he didn't want to say that he could influence the six Senators, but that the "chances" were that that he could. "I can throw some weight," he said. "But I know the man, added, 'if I get to work they will never impeach the Governor.'"

U—Now, let me ask you further—(Interruption in transmission.)

Stilwell—I don't want to do anything to hurt Tom O'Neil. What I am telling you is my . . . that he paid \$12,000 for the nomination. I don't know where he got the money and now the bank has it. He paid \$12,000 for his nomination as Registrar, but that is outlawed now. I have spoken to Clancy about it. You and he have been my friends.

Hennessy—The election was over when he told about this to—

Stilwell—It was, but it can't hurt him now. He didn't carry the money down to Murphy. That couldn't hurt him. Gaffney gave him the money.

Stilwell continued: "He don't want to make this statement until after the election is over. He will make this statement to kill Charles Murphy. Gaffney got this money, he put it in deposit and the bank on it. He can get all the information after the election is over. I don't want to do a thing for me now and I wouldn't do a thing to hurt him either. Gaffney would probably do it."

Hennessy—Why is it a man like Murphy can move these things for years and years and nobody knows it?

Stilwell—Because the fellows that do know it are afraid to come out. Where did Murphy get all his money from? He is rolling in money—he never had an office. If Murphy was "out," he

(Wagner) would "turn on him" to-morrow.

Hennessy left and Stilwell's brother had a talk with the ex-Senator. They discussed the plan for a pardon from Sulzer, and the ex-Senator expressed the opinion that he was being "singhanged" by the other people.

Those taking part in the first conference, which was held in the morning before Mr. Hennessy arrived, were Warden Clancy, acting for Mr. Hennessy; ex-Gov. Arthur H. Lehman, Charles Unversagt, ex-Senator Stilwell and Fred Sullivan, a brother. "A. C." in the stenographer's transcript refers to Warden Clancy as "the fellow who is in charge of the alleged disclosures of Stilwell."

The conversation was devoted mainly to a discussion of the method of changing Stilwell's information for a pardon.

SILLY, DECLARES FRAWLEY.

No Head or Tail to Stilwell's Disclosures, He Says.

Senator Frawley thinks Hennessy's "black book" is silly. He was found yesterday afternoon at his house, 31 E. Ninety-sixth street. He said he had read the alleged disclosures of Stilwell.

"There is no head or tail to those 'black book' disclosures," he said. "You can make for me a general denial of all that is in it respecting me."

Frawley was asked what he supposed Stilwell meant when he said he could control six or eight votes in the impeachment proceedings, through the knowledge he had.

"I suppose he means me," said Frawley. "He said he had read that Stilwell had refused to make any real disclosures until he had received his pardon."

"You can be certain he wouldn't," he said.



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MORE STILWELL DENIALS.

Frawley and Wagner Say "Black Book" Statements Are False.

State Senator J. J. Frawley laughed yesterday at the statements concerning him in ex-Senator Stephen J. Stilwell's conversations recorded in the "little black book." Then he became serious and said:

"I do not believe that Stilwell made such statements as are credited to him. If he did not I wish to say that they are absolutely untrue. They have been making New York with a fine tooth comb for months to try to get me. They didn't succeed. They even have tried to frame me, but they didn't succeed."

"I have been in the Senate for twelve years and if I had done anything out of the way you may be sure that they would have found it."

"I knew when I became chairman of the Frawley committee that I was laying myself open to attacks and do you think I would have taken that place if I had done anything wrong? You can just bet that they can't find anything on James J."

State Senator Robert E. Wagner issued a statement last night in answer to the statements concerning him credited to Stilwell. Senator Wagner denied that he ever said to Stilwell: "The Boss wants this." He said he had no boss and he followed no man's dictation. His statement in part follows:

"Ordinarily I would not dignify the alleged Stilwell statement with a reply or with any comment whatsoever. But in the closing days of a heated campaign even a false or unfounded story should be denied or explained."

"No one has ever questioned my integrity in matters of legislation or any thing else. After having acquired a record gained by hard work and an honest, conscientious performance of my duty I

am confident that I shall not be prejudiced by an unfortunate man's statement extorted from him by the promise of a pardon. I should be the last to aggravate the misery in which Senator Stilwell finds himself, but I must call to mind that I voted to convict him of the charge for which he was tried. He may have some resentment toward me which may explain his statement, if he really made one."

"I also opposed much of Stilwell's legislation in the belief that it was unwise or undesirable."

"There is only one intelligible allegation which I can spell out of the statement, viz., that I, as leader of my party, often went to Stilwell and said: 'The Boss wants this,' or words to that effect. I have no boss, and I respect no one's dictation as such."

"Now, some insinuation is made in connection with the Bronx county bill. The history of that bill and my position on it are as follows: The bill was first introduced by Senator Stilwell in 1911. I opposed the measure in the first place because I felt that the people of the Borough of the Bronx did not wish to secede from the county of New York and to establish themselves as an independent county. At a hearing held on the bill many of the leading citizens of the Bronx appeared to protest against its passage, and I therefore believed that I was not alone in the attitude that I had taken."

"A second reason for my opposition was that I believed that the bill was unconstitutional. My opposition was open and above board, and I stated my reasons on the floor of the Senate when the bill was under consideration."

"In the session of 1912 Senator Stilwell introduced a new bill without any reference to the one I had introduced. It was an equity bill which I then suggested to him several amendments to his original bill which in my opinion would correct the constitutional defects, and I also

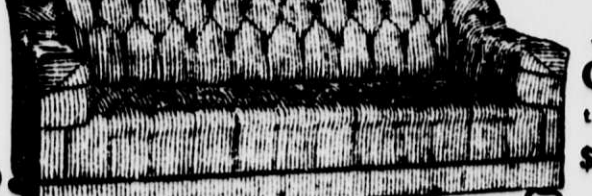
suggested that a referendum clause could be drawn conforming to the Constitution, by which the matter could be referred to the people of the Borough of Manhattan as well as to those of The Bronx. I thought that in all political equity we of Manhattan should have some voice in a matter which affected us so intimately. Stilwell objected to the

change and after a conference with a certain Senator it was agreed to refer the matter to the people of The Bronx."

"Other than the matter to which I have referred I do not see anything in the disconnected statement attributed to Stilwell that is definite enough to warrant any further comment."

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